

**ZONING BOARD OF APPEALS**

TOWN HALL • 525 WASHINGTON STREET • WELLESLEY, MA 02482-5992

RICHARD L. SEEDEL, CHAIRMAN
CYNTHIA S. HIBBARD
DAVID G. SHEFFIELDLENORE R. MAHONEY
EXECUTIVE SECRETARY
TELEPHONE
(781) 431-1019 EXT. 2208J. RANDOLPH BECKER, VICE CHAIRMAN
ROBERT W. LEVY
DAVID L. GRISSINO

ZBA 2010-33

Petition of Dan & Sheelah Sullivan
53 Longfellow Road

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, May 6, 2010 at 7:30 p.m. at the Town Hall, 525 Washington Street, Wellesley, on the petition of DAN & SHEELAH SULLIVAN requesting a Special Permit/Finding pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw that construction of a 7 foot by 19.8 foot front porch, construction of a 4.1 foot by 14.8 foot one-story front addition, construction of a 9.6 foot by 19.4 foot one-story rear addition, construction of a 19.4 foot by 33.7 foot two-story rear addition, construction of an 8.5 foot by 16 foot one-story rear addition, construction of a 3 foot by 8 foot deck, and construction of a 3 foot by 17.4 foot deck, that will meet all setback requirements, on an existing nonconforming structure with less than required right side yard setbacks, at 53 LONGFELLOW ROAD, in a 15,000 square foot Single Residence District, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

On April 16, 2010, the petitioner filed a request for a hearing before this Authority, and thereafter, due notice of the hearing was given by mailing and publication.

Presenting the case at the hearing was Christopher Hall, Architect. He said that also present was Sheelah Sullivan (the "Petitioner").

Mr. Hall said that the Sullivans asked him to convert their 1890's home into something that is more liveable. He said that the Sullivans have four children under the age of six. He said that they wanted to change the floor plan while maintaining the character of the house.

Mr. Hall said that the house sits on a 27,000 square foot lot. He said that the existing lot coverage is 11.7 percent and the proposed lot coverage is 15.3 percent.

Mr. Hall said that the garage sits close to the property line. He said that all of the proposed additions will meet setback requirements.

Mr. Hall said that the height of the existing house is 34 feet 9 ½ inches. He said that the height of the proposed gabled addition at the back of the house will be 32 feet 4 inches.

Mr. Hall said that most of the alterations will be at the back of the house. He said that there will be a new front entry porch. He said that a front corner will be completed to allow for a dining room. He said that there will be an addition of round copper top dormers on the third floor to bring back some character and scale. He said that the existing house has a hip roof.

Mr. Hall said that the allowable Total Living Area Plus Garage (TLAG) in this area is 4,300 square feet. He said that the existing TLAG is 5,200 square feet. He said that there will be 3,300 square feet of liveable space for the Petitioner.

Mr. Hall said that the houses on the south side of Longfellow Road are larger. He said that the houses on the north side are quite small.

Mr. Hall said that the retaining wall on the right side of the property will not be modified.

The Board confirmed that the area over the garage will not be built out.

The Board said that there appears to be another house behind 53 Longfellow Road. The Board said that neighbor would be the one most affected by the proposed construction. Mr. Hall said that those neighbors sold the house to the Petitioner. He said that they bought the house and then subdivided the lot.

Ms. Sullivan said that the back yard slopes up. She said that the addition will not cast any shadows on the property located at the rear. She said that she had offered to show the plans to the neighbor.

The Board asked if trees will be taken down. Mr. Hall said that the trees will not be taken down. He said that there is a basketball court at the back of the house that may be eliminated.

There was no one present at the Public Hearing who wished to speak to the petition.

Statement of Facts

The subject premises is located at 53 Longfellow Road, on a 27,414 square foot lot, with a minimum right side yard setback of 0.5 feet.

The Petitioner is requesting a Special Permit/Finding that construction of a 7 foot by 19.8 foot front porch, construction of a 4.1 foot by 14.8 foot one-story front addition, construction of a 9.6 foot by 19.4 foot one-story rear addition, construction of a 19.4 foot by 33.7 foot two-story rear addition, construction of an 8.5 foot by 16 foot one-story rear addition, construction of a 3 foot by 8 foot deck, and construction of a 3 foot by 17.4 foot deck, that will meet all setback requirements, on an existing nonconforming structure with less than required right side yard setbacks, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

A Plot Plan dated 4/12/10, stamped by Joseph R. Porter, Professional Land Surveyor, Existing and Proposed Floor Plans and Elevation Drawings, dated 4/14/10, prepared by Christopher Hall, Architect, and photographs were submitted.

On May 4, 2010, the Planning Board reviewed the petition and had no objection to granting the request.

Decision

This Authority has made a careful study of the materials submitted and the information presented at the hearing. The subject structure does not conform to the current Zoning Bylaw, as noted in the foregoing Statement of Facts.

It is the opinion of this Authority that construction of a 7 foot by 19.8 foot front porch, construction of a 4.1 foot by 14.8 foot one-story front addition, construction of a 9.6 foot by 19.4 foot one-story rear addition, construction of a 19.4 foot by 33.7 foot two-story rear addition, construction of an 8.5 foot by 16 foot one-story rear addition, construction of a 3 foot by 8 foot deck, and construction of a 3 foot by 17.4 foot deck, that will meet all setback requirements shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure, as it shall neither intensify an existing nonconformity nor create a new nonconformity.

Therefore, a Special Permit is granted for construction of a 7 foot by 19.8 foot front porch, construction of a 4.1 foot by 14.8 foot one-story front addition, construction of a 9.6 foot by 19.4 foot one-story rear addition, construction of a 19.4 foot by 33.7 foot two-story rear addition, construction of an 8.5 foot by 16 foot one-story rear addition, construction of a 3 foot by 8 foot deck, and construction of a 3 foot by 17.4 foot deck, subject to the following condition:

- Landscaping and planting materials shall be preserved to the greatest extent possible.

The Board stated that the bushes located at the site of the new front entry may be relocated.

The Inspector of Buildings is hereby authorized to issue a permit for construction upon receipt and approval of a building application and detailed construction plans.

If construction has not commenced, except for good cause, this Special Permit shall expire two years after the date time-stamped on this decision.

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APPEALS FROM THIS DECISION,
IF ANY, SHALL BE MADE PURSUANT
TO GENERAL LAWS, CHAPTER 40A,
SECTION 17, AND SHALL BE FILED
WITHIN 20 DAYS AFTER THE DATE
OF FILING OF THIS DECISION IN THE
OFFICE OF THE TOWN CLERK.

Richard L. Seegel, Chairman

Cynthia S. Hibbard

David G. Sheffield

cc: Planning Board
Inspector of Buildings
lrm